



## **Division Guideline # 27**

**Created:** August 28, 2012

**Revised:** August 9, 2013

**Title:** Guidelines for developing Interdivisional Agreements (IDA) between Children's Division (CD) and Division of Developmental Disabilities (DD)

**Application:** Regional Offices and Targeted Case Management entities

This guideline applies to the process for developing Interdivisional Agreements (IDA) between Children's Division (CD) and the Division of Developmental Disabilities (DD). Some children who are in the care and custody of CD may require substantial/specialized supports, including residential services that are available through the DD Comprehensive Waiver. In these cases, IDAs between CD and DD may be developed when a child is determined by DD to be eligible for Medicaid Waiver supports. CD has funding to maintain approximately 325 children in IDAs for which CD agrees to pay the state waiver match funds.

### **The conditions by which a child may be supported through an IDA are:**

The child for whom CD is proposing an IDA must have a developmental disability that substantially limits the child's ability to function independently in at least three areas of activities of daily living.

- These functional limitations must not be the result of a mental illness.
- The Interdisciplinary Team has identified that the child's condition is so severe that CD has no alternative treatment resource.
- The child's condition is such that the Division of DD would otherwise expect that the child will require the same level of supports upon aging out of the CD system.

- The child meets all eligibility requirements for admission to the Comprehensive Waiver including meeting ICF/DD level of care.
- The child must be in the care and custody of CD.
- The child must have a Medicaid Eligibility code of 37 (Foster Care Medicaid)
- The child must have a Medicaid Waiver eligible diagnosis

### **Process and Requirements to Determine Eligibility**

The Residential Care Screening Team Coordinator (RCST) makes the initial referral for assessment of eligibility for the waiver to the appropriate area Regional Office Intake Coordinator/Designee as well as Support Coordinator who provides supports to the child/young adult.

The DD Intake Coordinator/Designee officially determines eligibility through Functional Assessment, which may include but is not limited to collateral from other resources. Once eligibility is determined the DD regional office will notify the RCST and Support Coordinator in writing.

If determined eligible and no waiver slots are available, CD will place on a wait list of children requiring an IDA. The wait list is maintained by CD Central Office, and made available to DD at least quarterly. This list will be made available to all DD regional offices.

It is recommended that the local Residential Care Screening Team Coordinator (RCST) of CD as well as the Regional Directors/designees, and Intake Coordinators review these lists at least quarterly to better assess and facilitate movement from the lists.

### **Once the child is determined eligible and an opening is available for an IDA:**

The RCST requests that the Support Coordinator schedule the Individual Service Plan (ISP) meeting. The ISP meeting should include the support coordinator, the RCST or the CD worker, and any other identified parties to discuss and document the support needs that must be in place before the move. Discussion generally will include a proposed choice of provider, when the Level of Care (LOC) will be completed, and an estimated time frame for approval through the Utilization Review Process and waiver slot approval and assignment. When the move includes a roommate, there must be a team decision that the roommate and the living situation are appropriate for both children.

### **The Interdivisional Agreement (IDA):**

The ISP is established as the active treatment plan. The IDA reflects the support needs that are clearly outlined within the ISP. As reflected in the ISP, the IDA must address the child's short and long-term needs, specifying the responsibilities of supporting agencies (i.e., CD, DD) as noted in the various categories of the IDA document. The IDA must specify which agency will administer the child's benefits (SSI, SSA, and/or child support); outline specific arrangements regarding financial liability for payment to the provider for the child's room and board, habilitation/rehabilitation and any one-time costs that may be identified.

For all youth served under these guidelines who receive only Supplemental Security Income (SSI) or Old-Age, Survivors, and Disability Insurance (OASDI), DMH Regional Office staff shall make application for DMH to become the designated payee for the benefits. If the youth's monthly benefits are less than the total cost of his/her room and board as stated in the IDA, then Children's Division will cover the difference.

CD shall remain payee of benefits for all children covered under these guidelines that receive benefits or payments outside of and/or in addition to OASDI/SSI; and the Regional Office will initially pay the provider the total monthly room and board costs for these children as authorized and billed through the CIMOR system. DMH Central Office will invoice CD (Central Office) monthly for the full cost of room and board for these children as paid to the provider, and CD shall make full reimbursement to DMH Central Office using established inter-agency billing and payment procedures. The duration of the IDA must be specified and shall extend to the child's/young adult's 21<sup>st</sup> birthday.

The IDA along with the Individualized Supported Living (ISL) or host home budget is presented for authorizing signatures of the RCST and the Regional Director or Assistant Director. Once signatures are obtained then the packet is approved through Utilization Review. The IDA information is then scanned to DD Central Office and a copy forwarded to CD Central Office for final approval.

No placements shall be made until final approval of the IDA is obtained.

### **When to change or not change the IDA:**

- A new IDA should be completed when a child moves to a different placement.
- When there is a rate change in either room and board or the daily rate for the placement (other than a Cost of Living Allowance or Supplemental Security

Income COLA/SSI increase) only, a new budget shall be sent by the Regional Office to the RCST for review and approval signatures. This should include the reason for the change in the rate. Once approved by the CD RCST then the new budget will be sent to DD Central Office and forwarded to CD Central Office so that the change can be updated.

- When there is a new waiver service added to the child's ISP such as behavioral analysis services, community employment services, etc. then a new IDA should be completed.
- No action is required when a residential or ISL or host home rate decreases.
- No action is required when there is a rate increase due to COLA/SSI. The COLA/SSI increase is added to the daily rate by DD Central Office and updated in the CD database and forwarded to CD Central Office.

**In summary:**

The DD Regional Office designee responsibilities and requirements for completing an IDA:

- ISP/amendment developed and signed by guardian;
- Three functional limitations noted;
- Verify the child/youth has the appropriate Medicaid Eligibility and has been approved for SSI;
- Level of Care must be entered in CIMOR prior to slot request and approval of IDA;
- Approval through Utilization Review Process
- Comprehensive waiver slot cannot be requested prior to Level of Care date, and placement cannot be initiated before Level of Care or slot approved.

**When a child/youth approaches his/her 21<sup>st</sup> Birthday:**

Division of DD is responsible for determining the ongoing service and safety needs of the child/youth beyond the 21st birthday or the date when the court discharges the child/youth from CD jurisdiction, whichever comes first. In cases where parties are discussing or planning termination of jurisdiction or releasing the child/youth from Children's Division care, Children's Division shall immediately notify the Division of DD and shall invite the Division of DD to participate in Family Support Team (FST) meetings discussing the termination of jurisdiction or the child leaving care.

*This guideline will be reviewed and updated annually, as needed.*